IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

RP.No. 667 of 2006(A)

AGAINST THE JUDGEMENT/ORDER IN WPC.9877/2006 Dated 15/06/2006
.....

REVIEW PETITIONER/RESPONDENT

STATE CO-OPERATIVE UNION, KERALA
REPRESENTED BY THE SECRETARY/ADDL.REGISTRAR OF
CO-OPERATIVE SOCIETIES, SAMSTHANA SAHAKARANA
BHAVAN, CHNKLCHOOLA, TRIVANDRUM.

SRI.T.R.HARIKUMAR

RESPONDENTS: PETITIONER

SASIDHARAN M.C., SREESHYLAM,
P.O.KOOTHUPARAMBA, KANNUR DISTRICT.

BY ADV. SRI.B.RAGUNATHAN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 06/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

R.P. NO. 667 OF 2006 IN
W.P.C. NO. 9877 OF 2006

Dated this the 6th day of September, 2007

O R D E R

This Review Petition is filed on the misunderstanding that there is direction to make payment in the judgment. Since the amount claimed by the petitioner in the WPC is based on a contract, it is always open to the review petitioner to consider whether the work is completed in terms of the contract and if not to decline payment. Review Petition is therefore disposed of authorising the review petitioner to proceed in accordance with contract and if the amount claimed is not payable, to issue an order rejecting the claim disclosing reasons therefor.

(C.N.RAMACHANDRAN NAIR)
Judge